

THE
DOE RUN
COMPANY

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LOUIS J. MARUCHEAU
VICE PRESIDENT LAW
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A717

Site	Herculaneum Field
ID #	MO0000216373
Break	20
Other	9 21-01

September 21 2001

VIA FACSIMILE

Dave Cozad
U S Environmental Protection Agency
Region VII
901 North 5th Street
Kansas City Kansas 66101

Dear Mr Cozad

The Doe Run Company intends to carry out the actions being requested by EPA Region VII's Notification of Need for Additional Work to Address Emergency Conditions dated September 17 2001 ('Notification') and will be officially notifying EPA shortly. However, the decision to carry out the work is based on certain clarifications made by EPA, including statements you made on September 19, 2001. Consequently, before making a formal commitment to carry out this work, The Doe Run Company requests that you provide written confirmation of the following two clarifications we received verbally from EPA:

- (1) That the additional work being required by EPA's Notification only includes sampling to be carried out in conformance with the Quality Assurance Protection Plan ('QAPP') dated September 10 2001, with the sole exception being that the work also includes the clean up of contaminated residential soils where children reside who have been identified as having blood lead levels higher than 10 ug/dl
- (2) That the purpose of the sampling activity being required by EPA's Notification is to determine whether haul road spillage has created 'Emergency Conditions' in the general community of Herculaneum within the boundaries identified in the Notification

One further concern has arisen due to a conflict between the AOC and the QAPP. In the AOC which will govern this additional work requirement, children as used in the context of residential soil removals associated with children with elevated



blood leads, are defined to be 0-72 months of age. This is also the age used by the Center for Disease Control for recommendations regarding medical intervention and other actions regarding "children". However, the QAPP sampling requirements for homes with children are set for children of 0-84 months of age. This sampling requirement in the QAPP should be modified to reflect the AOC definition of children used to trigger soil removals.

If the above understanding of clarifications made by EPA concerning its September 17th Notification are correct and if EPA agrees that the definition of children in the QAPP should reflect that used in the AOC, please fax your confirmation of these matters to The Doe Run Company so we may immediately proceed to advise you of our decision regarding the required work.

Finally, we should note that the mailed copy of the September 17th Notification was received on September 20th and that the missing page 13 of the QAPP was received by fax at the end of the day on September 20th.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis J. Maruchau". The signature is fluid and cursive, with a large initial "L" and "M".

Louis J. Maruchau
Vice President Law

cc D Vornberg